



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

MKB:AEG/SD
F.#2007R02181

271 Cadman Plaza East
Brooklyn, New York 11201

November 6, 2009

By Facsimile and ECF

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Re: United States v. Thomas Archer et al.
Criminal Docket No. 08-288 (S-1)(SJ)

Dear Counsel:

The government writes in response to defendant Thomas Archer's letter dated November 3, 2009 and filed November 4, 2009 inquiring about "the purpose" of the testimony of Special Agent James P. Munjone Jr. of the Department of Homeland Security, Immigration and Customs Enforcement, whom the government identified by letter dated November 3, 2009 as an expected expert witness. Archer also requested "any reports and notes that Agent Munjone might have prepared for this case and any other case regarding" relevant individuals. This letter also responds to defendant Rafique's November 6, 2009 letter requesting a statement of Agent Munjone's "opinions [and] the bases and reasons for those opinions."

As noted in the government's November 3 letter, the government will seek to qualify Agent Munjone as an expert witness with respect to the retrieval of data from a cellular telephone and the significance of that data. The purpose of his testimony is to provide expert opinion concerning those topics. The government provided the defense with a redacted version of the report prepared by Agent Munjone that the government plans to use in its case in chief with the government's October 20, 2009 discovery letter. That report represents both Agent Munjone's opinions and -- in combination with the training described in his curriculum vitae -- the bases of his opinions. The government will provide the defense with any other paperwork prepared by

Agent Munjone in connection with his expected testimony at the same time as the 3500 material of other government witnesses.

Very truly yours,

BENTON J. CAMPBELL
United States Attorney

By: _____/s/_____
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cc: Clerk of Court (SJ)